

MATTER OF IREGBULEM

In Section 212(e) Proceedings

A-14658134

Decided by Regional Commissioner December 1, 1971

Applicant is denied a waiver of the foreign residence requirement of section 212(e) of the Immigration and Nationality Act for failure to establish, as claimed, that if she returned to Nigeria, the country of her nationality and last foreign residence, she would be subject to persecution because of her political activity in the United States on behalf of the Biafran cause during the recent civil war in that country, since a review of State Department reports and those of other independent sources, including the press, indicates there is no evidence of government persecution of former supporters of the Biafra regime.

ON BEHALF OF APPLICANT: James N. Penrod, Esquire
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This case comes before the Regional Commissioner on appeal from the decision of the District Director, San Francisco, who denied the application on September 20, 1971, in that the applicant had failed to establish that she would be subject to persecution within the meaning of section 212(e) of the Immigration and Nationality Act, as amended, if she returned to Nigeria, the country of her nationality and last foreign residence.

The applicant is a 29-year-old single female, a citizen of Nigeria, born in Port Harcourt (Biafra) of the Ibo tribe. She was admitted to the United States on August 9, 1964, as an exchange alien under section 101(a)(15)(J) of the Act sponsored by A.I.D. under exchange programs G-II-100 and P-I-577 for study and research towards advanced degrees. She studied at the University of Arizona in Tucson and Ohio State University achieving a Bachelor of Arts and Master's degree in nutrition and home economics.

Her last extension of stay expired March 1969. Since January 1970 she has been employed as a nutritionist at Mount Zion Hospital and Medical Center in San Francisco, California, where she